

## AGING DEPARTMENT [321]

### Notice of Intended Action

Pursuant to the authority of Iowa Code sections 231.22, 17A.3(1), 7E.1(3), 7E.2(a), and 7E.2(4), the Aging Department hereby gives Notice of Intended Action to adopt amendments to Chapter 2, "Department of Elder Affairs," Iowa Administrative Code.

The proposed amendments clarify the director's role and responsibility in organizing the department's operations to allow for optimum efficiency and effectiveness in the provision of services to older Iowans.

Any interested person may make written suggestions or comments on the proposed chapter on or before January 19, 2010. Such written suggestions or comments should be directed to the Department on Aging, Jessie M. Parker Building, 510 E. 12<sup>th</sup> Street, Des Moines, Iowa 50319; E-mailed to [lisa.burk@iowa.gov](mailto:lisa.burk@iowa.gov); or faxed to (515) 725-3300.

These rules are intended to implement Iowa Code sections 231.22, 17A.3(1), 7E.1(3), 7E.2(a), and 7E.2(4).

The following amendments are proposed.

Adopt the following amendments to Chapter 2:

**ITEM 1.** Amend rule 321 – 2.5(231) as follows:

**321- 2.5 (231) Organization of the department.** ~~The department's activities are performed by employees within the office of the director, two divisions and the office of elder rights. Grants will be managed by the appropriate division, office of the director or office of elder rights dependent upon the source and intended use of funds.~~ All operations of the department on aging are the responsibility of the director who will oversee all administrative and service functions of the director's office and the department. The department's employees will be organized at the

discretion of the director based on the department's duties and responsibilities under State and federal law and availability of funds to maximize efficiency in the provision of services to older Iowans.

**ITEM 2.** Amend subrule **2.5(1)** as follows:

~~2.5(1) The office of the director is comprised of the director, administrative support, public information officer, division administrators and legislative liaison. This office is responsible for the overall planning, policy, management and operations of the department.~~

**ITEM 3.** Amend subrule **2.5(2)** as follows:

~~2.5(2) The administrative division is responsible for the following:~~

~~a. Coordinating, reviewing and processing the multiyear area plans from the area agencies on aging;~~

~~b. Developing and processing the State Plan Funding Application to the federal government;~~

~~c. Monitoring, assessing, evaluating and auditing the 13 area agencies on aging for general area plan performance;~~

~~d. Maintaining accountability for all state, federal and local funds for which the department is responsible;~~

~~e. Managing a variety of department administrative responsibilities (including but not limited to budget preparation, personnel activities, ordering supplies and purchasing equipment);~~

~~f. Developing and maintaining computerized information systems which compile and analyze data to assess the quality and priorities of the department's programs; and~~

~~g. Processing information for presentation in reports, pamphlets, brochures, videotapes and the news media.~~

**ITEM 3.** Amend subrule **2.5(3)** as follows:

~~2.5(3) The elder programs and advocacy division is responsible for the following:~~

- ~~a. Developing program initiatives related to the department's mission;~~
- ~~b. Reviewing and commenting upon laws, regulations, and rules that impact programs and services for elders;~~
- ~~c. Program development related to:~~
  - ~~(1) The continua of long-term care options;~~
  - ~~(2) Case management program for the frail elderly;~~
  - ~~(3) Nutrition and health promotion;~~
  - ~~(4) Information and assistance;~~
  - ~~(5) Adult day and respite services;~~
  - ~~(6) Housing, including elder group homes and assisted living;~~
  - ~~(7) Access to public benefits;~~
  - ~~(8) Mature worker programs, including pension counseling; and~~
  - ~~(9) Caregiver programs;~~
- ~~d. Providing customer services related to elders' rights issues;~~
- ~~e. Monitoring and assessing services related to elder programs and advocacy issues;~~
- ~~f. Outreach to elders in greatest need (minority, rural, low income and persons with disabilities);~~
- ~~g. Coordination and advocacy efforts which involve partnerships with a variety of public and private agencies; and~~

~~h. Providing educational opportunities such as conferences, workshops and other means of informing elders and their caregivers.~~

**ITEM 4.** Amend subrule **2.5(4)** as follows:

~~2.5(4) Office of elder rights. The office of elder rights includes:~~

~~a. The office of the long term care ombudsman which is responsible for all applicable duties contained within the federal Act and the duties as outlined in 321 IAC 8;~~

~~b. Legal assistance development related to the department's mission and duties as outlined in 321 IAC 7;~~

~~c. Elder abuse policy development, prevention, education and intervention and duties as outlined in 321 IAC 15; and~~

~~d. Providing customer services related to elders' rights issues.~~

These rules are intended to implement Iowa Code sections 231.22, 17A.3(1), 7E.1(3), 7E.2(a), and 7E.2(4).